

United States District Court
For the Northern District of California

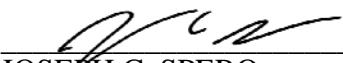
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ONITA TUGGLES, No. C-08-1914 JCS
Plaintiff,
v.
CITY OF ANTIOCH, et. al.,
Defendants.

COURT'S PROPOSED SPECIAL VERDICT FORM

Dated: September 1, 2010


JOSEPH C. SPERO
United States Magistrate Judge

JURY VERDICT

1 We, the jury, unanimously find as follows:

2 **1.** **Claim I:** Did Defendant Bittner discriminate against Plaintiff Tuggles based on her race, in
3 violation of the Equal Protection Clause of the Fourteenth Amendment to the United States
4 Constitution? (Check one).

5 Yes No

6 **If the answer to Question No. 1 is “YES,” please proceed to Question No. 2. If the answer to
7 Question No. 1 is “NO,” please proceed directly to Question No. 4.**

8 **2.** **Claim II:** Did Defendant Bittner conspire to discriminate against Plaintiff on the basis of
9 her race, in violation of 42 U.S.C. § 1985(3)? (Check one).

10 Yes No

11 **If the answer to Question No. 2 is “YES,” please proceed to Question No. 3. If the answer to
12 Question No. 2 is “NO,” please proceed directly to Question No. 4.**

13 **3.** **Claim III:** Did Defendant Bittner fail to prevent or aid in the prevention of race-based
14 discrimination against Plaintiff, in violation of 42 U.S.C. § 1986? (Check one).

15 Yes No

16 **Please proceed to Question 4.**

17 **4.** **Claim IV:** Did Defendant Bittner coerce, threaten, intimidate, or interfere with Plaintiff’s
18 right to fair housing, in violation of Section 3617 of the Fair Housing Act? (Check one).

19 Yes No

20 **Please proceed to Question 5.**

21 **5.** **Claim V:** Did Defendant Bittner aid, abet, incite, compel, or coerce the owner or property
22 manager of 1933 Paradise Peak Court to discriminate against or harass Plaintiff, or attempt to do so
23 in violation Cal. Government Code § 12989.1/12955? (Check one).

24 Yes No

25 **Please proceed to Question 6.**

1 6. **Claim VI:** Did Defendant Bittner discriminate against Plaintiff in the provision of law
2 enforcement services, in violation of Cal. Government Code § 11135? (Check one).

3 Yes No

4 7. If you answered “YES” to Questions Nos. 5 or 6 above, do you find that the City of Antioch
5 is liable for Officer Bittner’s conduct under a theory of *respondeat superior*? (Check one).

6 Yes No

7 8. If you answered “YES” to any of Questions 1-6 above:

8 What is the amount of compensatory damages that you award?

9 \$ _____

10 9. If you answered “YES” to any of Questions 1-6 above, do you find by a preponderance of
11 the evidence that Defendant Bittner’s conduct was either malicious or committed in reckless
12 disregard of Plaintiff Tuggles’ rights? (Check one).

13 Yes No

14 15. **If yes, proceed to question 10.**

16 10. If you answered “YES” to Question 9, what is the amount of punitive damages that you
17 award?

18 \$ _____

19 **PLEASE SIGN AND DATE THE SPECIAL VERDICT FORM**

20 21. **Signed:** _____

22 **Foreperson of the Jury:** _____

23 24. **Dated:** _____

25 After this Verdict Form has been signed and dated, please submit a Jury Note to the Court
26 Security Officer notifying the Court that the Jury has reached a verdict. Please return the Verdict
27 Form to the Courtroom Deputy.